

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	
)	CASE NO. 24-52036-pwb
COURTNEY TRICE,)	
)	CHAPTER 13
Debtor.)	
<hr/>)	
PINNACLE CREDIT UNION,)	
)	
Movant,)	CONTESTED MATTER
)	
v.)	
)	
COURTNEY TRICE, Debtor, and K.)	
EDWARD SAFIR, Standing Chapter 13)	
Trustee,)	
)	
Respondents.)	
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PINNACLE CREDIT UNION’S OBJECTION TO CONFIRMATION

Pinnacle Credit Union (the “Credit Union”) hereby objects to confirmation of the Debtor’s Chapter 13 Plan (the “Plan”) for the following reasons:

1.

Debtor filed a petition constituting an Order for Relief under Chapter 13 of Title 11 of the United States Code on February 27, 2024 (the “Petition Date”).

2.

The Credit Union has filed two claims in this case. The first claim, Claim 21, is in the amount of \$1,543.91 for a *Closed-End Note, Disclosure Loan and Security Agreement* (the “524 Note”) dated

November 2, 2023, executed by Debtor in favor of the Credit Union, which is fully secured by the funds on deposit in Debtor's Share Drafts account with the Credit Union as of the Petition Date in the amount of \$1,793.26. True and correct copies of the 524 Note and Share Drafts transaction inquiry are attached to Claim 21.

3.

The second claim, Claim 22, is in the amount of \$2,030.06 for a *Closed-End Note, Disclosure Loan and Security Agreement* (the "521 Note") dated April 27, 2022, executed by Debtor and non-filing Co-Debtor, Louise Trice (the "Non-Filing Co-Debtor"), which is secured by the remaining balance of funds on deposit in Debtor's Share Drafts account with the Credit Union as of the Petition Date. True and correct copies of the 521 Note and Share Drafts transaction inquiry are attached to Claim 22.

4.

Claim 21 should be treated as secured and paid in full with interest during the Plan term. Claim 22 should be bifurcated with \$249.35 treated as secured and paid in full with interest during the Plan term and the remaining balance treated as unsecured.

5.

Debtor failed to disclose the Non-Filing Co-Debtor and failed to disclose the amount on deposit as of the Petition Date in her Schedules thereby evidencing this case was not filed in good faith as required by 11 U.S.C. § 1325(a)(3).

6.

The Credit Union objects as the Plan fails to provide for payment of Claim 22 in full to protect the Non-Filing Co-Debtor.

WHEREFORE, the Credit Union prays that this objection be sustained, that the Chapter 13 Plan be denied confirmation, and that the Court grant such other and further relief as it deems just and proper.

This 15th day of May 2024.

Respectfully submitted,

KAPLAN, BOGUE & COOPER, P.C.

/s/ Samantha L. Tzoberi

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Attorneys for the Credit Union

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CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing ***Objection to Confirmation*** (the “Document”) using the Bankruptcy Court’s Electronic Case Filing program, which sends notice of the Document and an accompanying link to the Document to the following parties who have appeared in this case under the Bankruptcy Court’s Electronic Case filing program:

- E. L. Clark cwatlantabk@gmail.com
- Evan Owens Durkovic ecfganb@aldridgepite.com, edurkovic@ecf.courtdrive.com
- Albert Clark Guthrie courtdailysummary@atlch13tt.com
- Brandi L. Kirkland courtdailysummary@atlch13tt.com
- K. Edward Safir info@atlch13tt.com
- Willie Bruce Smith wismith@raslg.com
- Nichlas P. Spallas bknotices@wayfinderbk.com

I further certify that on this day I caused a copy of the Document to be served via first-class United States mail, with adequate postage prepaid on the following parties at the address shown for each:

Courtney Trice
8635 Forrest Pointe Court
Jonesboro, GA 30238

Office of the United States Trustee
75 Ted Turner Drive, S.W., Room 362
Atlanta, GA 30303

This 15th day of May 2024.

/s/ Samantha Tzoberi

Samantha Tzoberi, Georgia Bar No. 140809

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